

DEPARTMENT OF ENVIRONMENTAL QUALITY'S

SARA TITLE III PROGRAM

WHAT IS SARA TITLE III?

Superfund **A**mendments and **R**eauthorization
Act of 1986 (**SARA**)

Title III of **SARA** = **E**mergency **P**lanning and
Community **R**ight-to-Know **A**ct (**EPCRA**)

SARA Title III

HISTORY OF THE REGULATION

Tragically on December 3, 1984 in Bhopal, India Union Carbide chemical plant released Methyl isocyanate resulting in 4,000 deaths, and 40,000 maimed & seriously injured. Plants were defoliated and livestock killed.

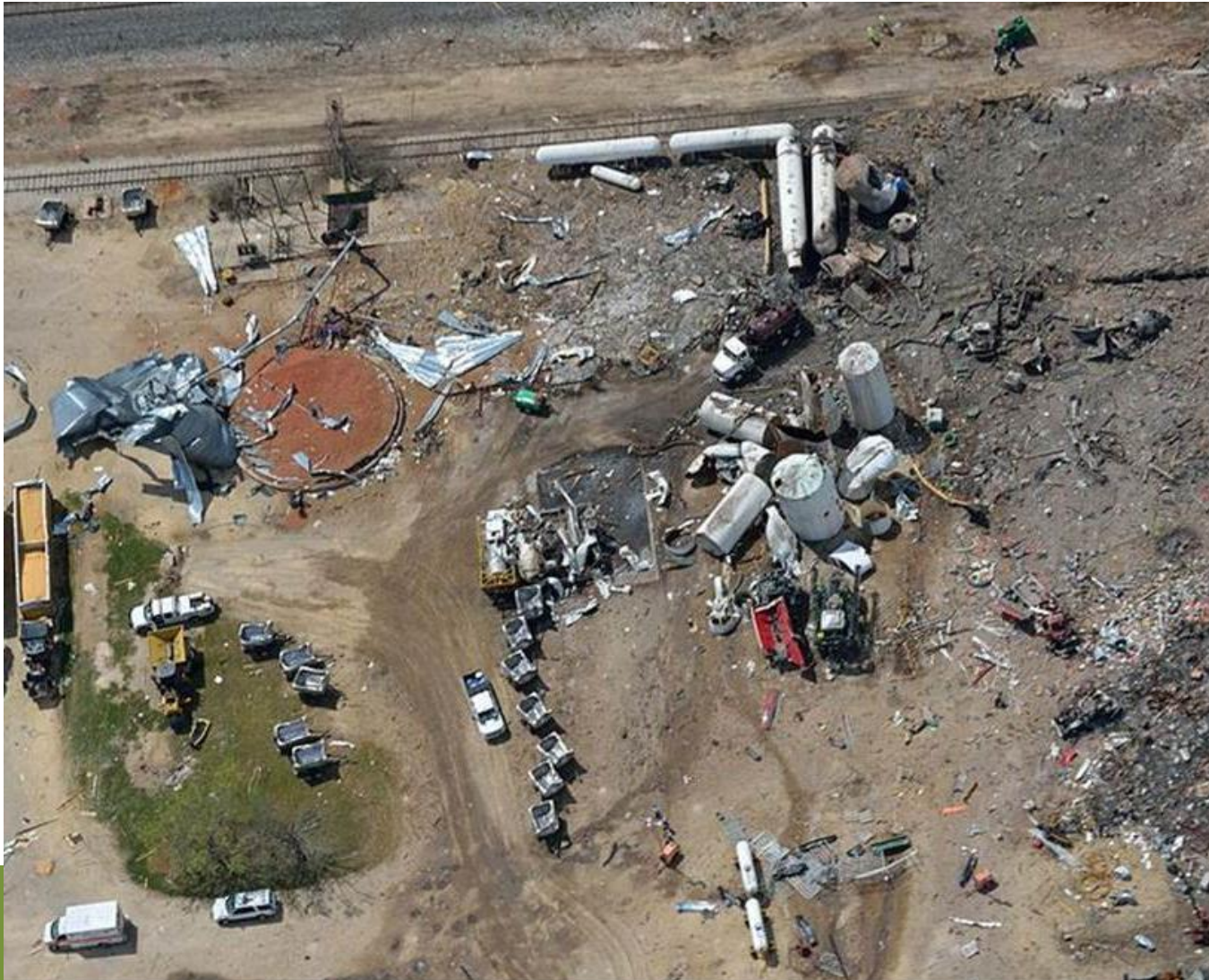


HISTORY OF THE REGULATION

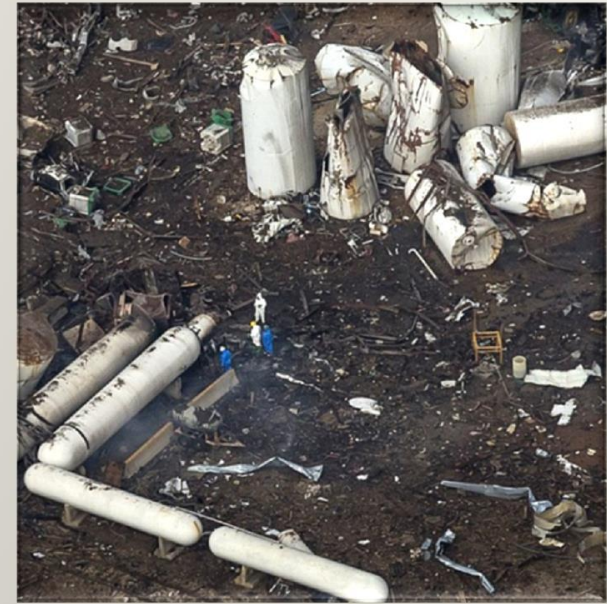
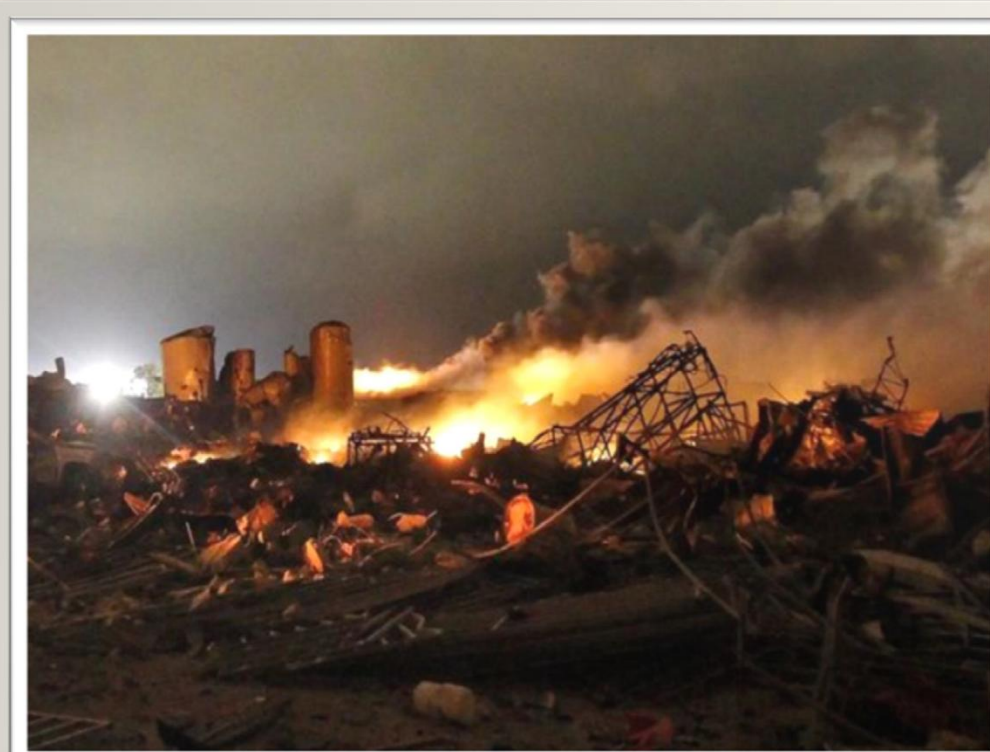
The Bhopal tragedy sparked an overhaul of U.S. chemical reporting rules and in 1986, congress expanded and reauthorized the Superfund Act and created the Superfund Amendments and Reauthorization Act.

RECENT TRAGEDY WEST TEXAS

APRIL 17, 2013



AMMONIUM NITRATE EXPLOSION



Fifteen people were killed, more than 160 were injured, and more than 150 buildings were damaged or destroyed

SARA TITLE III

THE OBJECTIVE OF THE SARA TITLE III IS TO:

- Allow state and local planning for chemical emergencies,
- Provide for notification of emergency releases of chemicals,
- Address communities' right-to-know about toxic and hazardous chemicals.



SARA TITLE III\EPCRA

- **SARA Title III is in place for the protection of the community, first responders, facility employees and the environment.**
- **Residents, Employees and Emergency Management officials have the right to know what hazardous materials are stored in their communities, so they can plan and in case of an emergency safely respond.**



SARA TITLE III IN MICHIGAN

- Federal Regulation
Title 40 of the Code of Federal Regulations (CFR) Parts 350 to 372
- Enforced by EPA
- Implemented under Executive Order
from the Governor Executive Order 2007-18



THE SARA TITLE III PROGRAM HAS FOUR MAIN COMPONENTS

- Emergency Planning
Sections 302 & 303
- Emergency Release
Notification
Section 304
- Hazardous Chemical Inventory
Sections 311 & 312
- Toxic Chemical Release Inventory
Section 313



EMERGENCY PLANNING SECTIONS

302 & 303

- Established - **Michigan Citizen-Community Emergency Response Coordinating Council** (Exec. Order 2007-18) “**Michigan’s State Emergency Response Commission or SERC**”
- Established - **Local Emergency Planning Committees (LEPCs)**
- 87 LEPCs in Michigan including the cities of Detroit, Ann Arbor, Romulus, and Wayne.

EMERGENCY PLANNING

SECT. 302 FACILITY REQUIREMENTS

EXTREMELY HAZARDOUS CHEMICAL REPORTING (TIER II REPORTING)

Extremely Hazardous Substance storage above reportable thresholds that requires regulated facilities in your community to file a report and do emergency planning with their local fire department, Local Emergency Planning Committee, MSP and the DEQ

EMERGENCY PLANNING

SECT. 302 FACILITY REQUIREMENTS



EMERGENCY PLANNING

SECT. 302 FACILITY REQUIREMENTS

- Submit Tier II Report (Update or Annual) within 60 days to
 - Michigan SARA Title III Program (Tier II Manager online)
 - LEPC
- The 302 report is now part of Tier II reporting and combined with SARA Title III 311 and 312 requirements in Tier II Manager Program

SARA TITLE III - COMPONENTS

- Emergency Planning Sections 302 & 303
- Emergency Release Notification Section 304
- Hazardous Chemical Inventory Sections 311 & 312
- Toxic Chemical Release Inventory Section 313



EMERGENCY RELEASE NOTIFICATION SECTIONS 304

- ≈ 770 **Hazardous Substances** (CERCLA - published list)
- 355 Extremely Hazardous Substances (**EHS**) (SARA Title III- published list)
- “Reportable Quantity” (**RQ**)
- **List of Lists** has reportable chemicals and RQs

DEQ SARA TITLE III RELEASE NOTIFICATION REQUIREMENTS TABLE

www.michigan.gov/chemrelease

➤ *WHAT*

➤ *WHEN*

➤ *TO WHOM &*

➤ *HOW* releases must be reported in State & Federal Regulations that apply in MI.

This table should be used as a tool to identify potential reporting requirements before a release occurs, and to identify follow-up reporting requirements based on the release.

RELEASE NOTIFICATION REQUIREMENTS TABLE

August 2016

Release Notification Requirements in Michigan*



Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
SARA Title III Section 304 40 CFR 355.40 (EHS & Hazardous Substances)	<p>Release of a CERCLA hazardous substance (40 CFR 302, Table 302.4) or Extremely Hazardous Substance (EHS) (40 CFR 355, Appendix A) from a facility (all buildings, equipment, etc. located on a single site or adjacent sites owned or operated by the same person) at which a hazardous chemical (as defined under 29 CFR 1910.1200(c)) is used, produced or stored (including motor vehicles, rolling stock, and aircraft) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hr period that migrates beyond the facility boundaries.</p> <p>Includes continuous release reportable under CERCLA Section 103.</p> <p>Excludes release that is federally permitted or that results in exposure to persons solely within the boundaries of the facility. See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p> <p>Excludes release < 1000 lbs of NOx released to the air from combustion or combustion-related activities.</p>	<p>Immediate (within 15 minutes after discovery) to: LEPC(s) of any area(s) potentially affected, and SERC (DEQ PEAS line <i>accepts notification on behalf of SERC</i>) by owner or operator.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08): Only CAFOs are required to report continuous releases to the air from animal waste.</p> <p>Transportation related releases can be reported to 911.</p>	<p>As soon as practicable (within 30 days) after release: to LEPC(s) and SERC.</p> <p>Not required for releases that occur during transportation or from storage incident to transportation.</p> <p>For continuous releases: Initial written within 30 days after initial telephone notification: to LEPC(s) and SERC.</p> <p>Michigan SARA Title III Program accepts reports on behalf of the SERC.</p>	<p>PEAS: 800-292-4706</p> <p>Contact your LEPC for a phone number to report releases.</p> <p>Call 911 if your LEPC is not active.</p> <p>For further information & LEPC contact information, contact Michigan SARA Title III Program 517-284-7272</p>
CERCLA Section 103 40 CFR 302 (Hazardous)	<p>Release into the environment of a CERCLA hazardous substance (40 CFR 302, Table 302.4) or hazardous constituent in a mixture or solution (including hazardous waste streams) from a vessel or facility (any building, structure, etc. including motor vehicles, rolling stock, aircraft, pipe, pipeline, well, pond, lagoon, impoundment, ditch, landfill, or site where a hazardous substance has come to be located) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hour period.</p> <p>Excludes petroleum, including oil, or any fraction thereof.</p> <p>See 40 CFR 302.6 for notification requirements for radionuclide releases.</p>	<p>Immediate (within 15 minutes after discovery) to: NRC by person in charge of vessel or offshore or onshore facility.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant</p>	<p>For continuous releases only: Initial written within 30 days after initial telephone notification & Follow-up within 30 days of first</p>	<p>NRC 800-424-8802 or online at www.nrc.uscg.mil</p> <p>For further information contact</p>

EMERGENCY RELEASE NOTIFICATION FACILITY REQUIREMENTS

- There are 27 state and federal regulations with release reporting requirements that apply in Michigan.
- Permits, licenses, local ordinances, contingency and pollution prevention plans might have additional release reporting requirements.
- SARA Program maintains the Release Notification Table for the DEQ.



SARA TITLE III - COMPONENTS

- Emergency Planning Sections 302 & 303
- Emergency Release Notification Section 304
- **Hazardous Chemical Inventory Sections 311 & 312**
- Toxic Chemical Release Inventory Section 313



HAZARDOUS CHEMICAL INVENTORY SECTIONS 311 & 312

Raw Materials

SARA Title III

- Listed Extremely Hazardous Substances
- Hazardous Chemicals with SDSs

Facility

- Manufacturing Process
- SARA Title III Materials stored in Manufacturing process

Waste

- Hazardous Waste
- Solid Waste, etc.

HAZARDOUS CHEMICAL INVENTORY

SECTIONS 311 & 312

- Hazardous Chemicals = all substances for which the **OSHA Hazard Communication Standard** requires the facility to maintain **SDSs** (Employee Right-to-Know).
- There is **NO LIST** of OSHA Hazardous Chemicals!



HAZARDOUS CHEMICAL INVENTORY

SECTIONS 311 & 312

Thresholds for reporting

- **OSHA hazardous substances:**
10,000 pounds
- **EHS (See EPA's List of Lists):**
500 pounds or TPQ (whichever is lower)
- ***Requests* by LEPC/Fire Dept:**
zero pounds

HAZARDOUS CHEMICAL INVENTORY SECTIONS 311

- **INITIAL REPORT (Tier II Update Report)** due within **3 months** after threshold reached
- Submit current year Tier II Report Update with the new chemicals to:
 1. **Michigan SARA Title III Program (online)**
 2. **LEPC**
 3. **Fire Department**



HAZARDOUS CHEMICAL INVENTORY SECTIONS 312

- **ANNUAL REPORT** due by **March 1st**
- Submit current year Tier II Report Annual (Emergency & Hazardous Chemical Inventory) with previous year inventory to:
 1. **Michigan SARA Title III Program (online)**
 2. **LEPC**
 3. **Fire Department**



SARA TITLE III - COMPONENTS

- Emergency Planning
Sections 302 & 303
- Emergency Release
Notification
Section 304
- Hazardous Chemical Inventory
Sections 311 & 312
- Toxic Chemical Release Inventory
Section 313

TOXIC CHEMICAL RELEASE INVENTORY (TRI) - SECTION 313

- **Annual TRI Report due by July 1st**
- Submit Form R to via TRI-MEweb:
 - Michigan SARA Title III Program
 - EPA
- Toxic = @ 650 listed chemicals & chemical compounds
- Cumulative releases & waste transfers
- Release = allowed and accidental
- Subject facilities

TOXIC CHEMICAL RELEASE INVENTORY (TRI) - SECTION 313

Subject Facilities:

- At least **10 full time employees**
- Subject **North American Industrial Classification System (NAICS)** codes
- Amount manufactured*, processed, or otherwise used **exceeds a toxic chemical activity threshold**

*Manufacture includes chemicals created as an impurity or byproduct

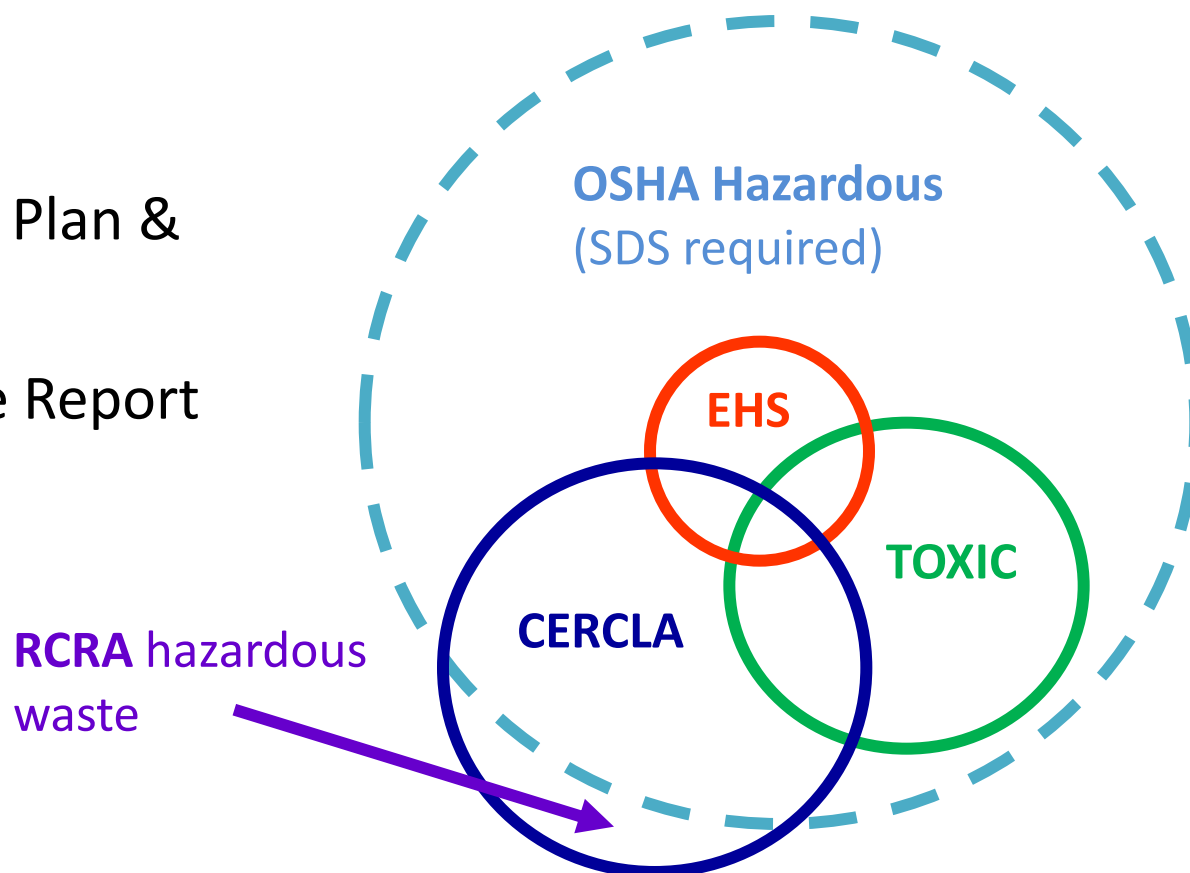
ALL SUBSTANCES COVERED BY SARA TITLE III

OSHA: Tier II

EHS: Emergency Plan &
Release Report

CERCLA: Release Report

TOXIC: TRI



TIER II MANAGER - MICHIGAN'S ONLINE TIER II REPORTING PROGRAM

- Tier II Manager is the online program the State of Michigan uses to collect Tier II Reports.
- Michigan contracts with IDSI to provide the programming for the SARA Title III Program.
- We currently have 12,500 Licenses for the Tier II Manager program.

Accessing Tier II Manager™


Open Your Internet Browser and Enter
the Following DEQ Website:

www.michigan.gov/sara

- Click on Sections 311 & 312 Hazardous Chemical Inventory
- Click on the “big **brown** button”



TIER II MANAGER - MICHIGAN'S ONLINE TIER II REPORTING PROGRAM



Michigan SARA Title III Program
Department of Environmental Quality
PO Box 30457, Lansing, MI 48909-7957
Phone :517-284-7272, Fax :517-241-0858

Online TIER II MANAGER™

DEQ Department of Environmental Quality Michigan.gov
The Official State of Michigan Website

You must register before using this Online Reporting System.

[REGISTER](#)

If you have previously registered, please proceed with Log In.

SYSTEM REQUIREMENTS

- You need to use Internet Explorer 10 (non-compatibility mode) or higher, Firefox 20 or higher, or Chrome 26 or higher. Using older versions may create problems.
- You will need Adobe Acrobat Reader to use this System. [Download the Adobe Reader.](#)
- You need to enable javascript and turn off the pop-up blocker in your browser.
- If you encounter any problem, contact your technology desk to verify whether you have these requirements.
- Cookies need to be enabled in your browser. It is enabled by default.

Log In

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TIER II REPORTING DATA

- Types and quantities of chemicals stored at facilities across the state.
- GPS Data on chemical storage for facilities submitting Tier II Reports.
- Facility emergency contact information.

WHAT'S NEW IN SARA TITLE III?

- 7,637 reports completed in 2017
- 5 new online Tier II Manager Tutorials
- 2 new SARA Title III publications
- New SARA Title III Employee handbook
- Revised SARA Title III guidebook
- Currently revising the SARA Title III website
- Planning SARA Title III webinar and workshops series in 2018

Changes to Tier II Reporting

- U.S. EPA issued revisions to 40 CFR Part 370 that will affect Tier II reporting under Sections 311 and 312 of the EPCRA\SARA Title III in 2018.
- The revisions are intended to better align EPCRA\SARA Title III with the revised OSHA Hazard Communication Standard (HCS) and facilitate safer management of hazardous materials.

Changes to Tier II Reporting

What do these changes mean?

- U.S. EPA has adopted the physical and health hazards established for Safety Data Sheets for Tier II Reporting.
- Tier II Reports will now require updated physical and health hazards for each chemical listed in your report moving forward.



Changes to Tier II Reporting

- Effective January of 2018, Tier II facilities will be required to report revised physical and health hazards for all their hazardous chemicals above regulatory thresholds.
- Moving forward all your chemicals in Tier II Manage Program will be flagged until the Physical and Health Hazards have been updated to the new standard starting with the 2017 Tier II Annual Report.

Changes to Tier II Reporting

- Tier II Reporting has gone from 5 Physical and Health Hazards to 24.
- Revised physical and health hazards should be available in your current Safety Data Sheets.



From

Chemical Description

CAS Number N/A

Description Note

Chemical Name Lead Acid Batteries

Chemical Added to Site Date

☐ EHS
 ☒ Contains EHS
 ☒ EHS> TPQ

EHS Name

☐ Solid
 ☒ Liquid
 ☐ Gas

☐ Pure
 ☒ Mix

Physical and Health Hazards

☒ Fire
☒ Sudden Release of Pressure
☒ Reactivity
☒ Immediate(Acute)
☐ Delayed (Chronic)

Maximum Daily Amount 20000 lbs (06)
Average Daily Amount 20000 lbs (06)
Number of Days Onsite 365
Maximum Amount in Largest Container

DHS Chemical of Interest

☐ Trade Secret Present

Changed From Last Submission

To

Chemical Description

CAS Number N/A

Description Note

Chemical Name Lead Acid Batteries

Chemical Added to Site Date

☐ EHS
 ☒ Contains EHS
 ☒ EHS> TPQ

EHS Name

☐ Solid
 ☒ Liquid
 ☐ Gas

☐ Pure
 ☒ Mix

Physical Hazards

☐ Combustible dust
☐ Corrosive to metal
☐ Explosive
☐ Flammable (gases, aerosols, liquids, or solids)
☐ Gas under pressure
☐ Hazard Not Otherwise Classified (HNOC)
☐ In contact with water emits flammable gas

☐ Organic peroxide
☐ Oxidizer (liquid, solid or gas)
☐ Pyrophoric (liquid or solid)
☐ Pyrophoric gas
☐ Self-heating
☐ Self-reactive

Health Hazards

☐ Acute toxicity (any route of exposure)
☐ Aspiration hazard
☐ Carcinogenicity
☐ Germ cell mutagenicity
☐ Hazard Not Otherwise Classified (HNOC)
☐ Reproductive toxicity

☐ Respiratory or skin sensitization
☐ Serious eye damage or eye irritation
☐ Simple asphyxiant
☐ Skin corrosion or irritation
☐ Specific target organ toxicity (single or repeated exposure)


DHS Chemical of Interest

☐ Trade Secret Present

Changed From Last Submission

Updating Physical and Health Hazards

The Tier II Manager Program™ has been updated to accommodate these new changes.



Michigan SARA Title III Program
Department of Environmental Quality
PO Box 30457, Lansing, MI 48909-7957
Phone :517-284-7272, Fax :517-241-0858

Online TIER II MANAGER™

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- You need to enable javascript and turn off the pop-up blocker in your browser.
- If you encounter any problem, contact your technology desk to verify whether you have these requirements.
- Cookies need to be enabled in your browser. It is enabled by default.

Log In

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Password

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Updating Physical and Health Hazards

- Facilities using Tier II Manager Program™ may experience delays in the program reporting during the 2018 season, due to the large number of users accessing the system at the same time to update chemicals.
- Submit a 2017 Tier II Report Update now to avoid timely delays in January 2018!



Updating Physical and Health Hazards

- All the chemical information updated in your **2017 Report Update** will be pulled into your initiated 2017 Tier II Annual Report saving you time and potential delays during the 2018 reporting season.
- Due to high reporting volumes, try reporting early in the morning or later in the afternoon. **Remember, Tier II Manager Program™ is available 24 hours a day.**



Updating Physical and Health Hazard

- **Note: A 2017 Tier II Annual Report is still required to be submitted January 1st thru March 1st of 2018 to meet your regulatory obligations.**



SARA Title III – Tier II Reporting

Please contact the SARA Title III Program if you have questions or need additional information

at **517-284-7272 (SARA)**

or send an email to

DEQ-SARA@michigan.gov.



Michael Young
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Specialist